

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Crim. No. 19-204 (ECT/BRT)

Plaintiff,

v.

ORDER

John Thomas White,

Defendant.

Jeffrey S. Paulsen, Esq., Assistant United States Attorney, counsel for Plaintiff.

R.J. Zayed, Esq., and Michael E. Rowe, Esq., Dorsey & Whitney LLP, counsel for Defendant.

This matter is before the Court on the Government's Motion to Strike Defendant's Post-Hearing Reply Memorandum (Doc. No. 62), and Defendant John Thomas White's Motion for Leave to File Additional Motions (Doc. No. 67), which the Government opposes (*see* Doc. No. 68).

The relevant rules only permit the filing of untimely motions upon a showing of good cause. *See* Fed. R. Crim. P. 12(c)(3); Local Rule 12.1(e). Here, good cause exists to permit Defendant to file two new, narrow motions to suppress because (1) the Court relieved Defendant's former counsel of his assignment due to an irretrievable breakdown in the attorney-client relationship, and (2) Defendant was appointed new counsel who believe it is necessary to bring two new motions on his behalf. (Doc. Nos. 64, 65, 67.)

See, e.g., United States v. Martinez-Rubio, No. CR18-4037-LTS, 2019 WL 6341642, *6 (N.D. Iowa Nov. 27, 2019). Therefore, **IT IS HEREBY ORDERED** that:

1. The Government's Motion to Strike Defendant's Post-Hearing Reply Memorandum (**Doc. No. 62**) is **DENIED**;
2. Defendant's Motion for Leave to File Additional Motions (**Doc. No. 67**) is **GRANTED**;
3. Defendant shall file his two new motions to suppress by **March 6, 2020**;
4. The Government shall file its response to those motions by **March 13, 2020**;
5. The Government may also respond to Defendant's Letter filed on February 20, 2020 (Doc. No. 66), discussing newly published legal authority. That response must also be filed by **March 13, 2020**;
6. Because one of Defendant's proposed new motions concerns the same December 12, 2018 traffic stop he challenges in his pending Motion to Suppress (Doc. No. 23), Defendant's pending Motion to Suppress (Doc. No. 23) and his two new motions to suppress will be taken under advisement on **March 13, 2020**.

Date: February 28, 2020

s/ Becky R. Thorson
BECKY R. THORSON
United States Magistrate Judge